

**REMARKS**

On April 9, 2007, a Notice of Non-Compliant Amendment was filed in connection with the above-identified application. In the Notice, the Examiner indicated that the Amendment filed on August 27, 2003, did not include (1) a complete listing of the claims in the reissue application and (2) the proper status identifier for each claim.

Applicants submit that both requirements were satisfied by the reissue application papers filed on August 27, 2003. The reissue application papers included a photocopy of the claims in the patent. When coupled with the new claims presented in the Preliminary Amendment, it is clear that a complete copy of the claims was submitted. In this paper, photocopies of the claims in the patent and the new claims are listed in the “In the Claims” section.

Also, the rules for providing a status identifier for reissue claims are different from the rules for providing a status identifier during prosecution of a patent application. As set forth in 37 CFR § 1.173(c), the status of “pending” is not only permissible, it is required to be included to indicate the status of claims presented for reissue. Thus, the status identifiers “Currently Amended,” “Previously Presented,” etc., that are used during prosecution are not proper under the rules.

Nevertheless, Applicants have submitted an Appendix with this paper which presents the claims at reissue with the status identifiers “Original” or “New” where appropriate.

It is respectfully submitted that the requirements necessary for overcoming the objections in the Notice of Non-Compliant Amendment have been satisfied.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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